

Compared Copy)

TO WHOM IT MAY CONCERN:

Notice is hereby given that Provo City, a municipal corporation, in Utah County, State of Utah, being the owner and entitled to the use and control of Forty-one one-hundredths ( $41/100$ ) of all the waters of Provo River including its tributaries, and a portion of said waters so owned by it as aforesaid are used through its system of water works in said City, and distributed by it for culinary and domestic use to its inhabitants, and such waters so used should be as pure as can be had from the said river and its tributaries, and the waters of the springs and creeks hereinafter mentioned being purer before comingling with the main waters of the said river than afterwards--Now hereby claims as a part of said forty-one one-hundredths ( $41/100$ ) so heretofore appropriated by it, all of the waters of BURBIO SPRING, at Spring Dell, near where the old toll gate formerly was in Provo Canyon, Utah County, State of Utah; all the waters of JOHNSON SPRING, in said canyon, being about one fourth mile North and East from the said Burbio Springs ; all of the waters of the Phillips Springs, in said canyon, being about four hundred (400) yards westerly from the Telluride Power & Transmission Company's works in said canyon; all the waters of the THAYER SPRINGS, being certain springs arising in the said canyon at various points, commencing about three hundred (300) yards above the last said works and extending up said canyon to a point where the wagon bridge crosses the river in said canyon; and all the waters of LOST CREEK, being a stream of water which is about one-half mile north from said bridge in said canyon.

This notice is posted at the points on the several above mentioned tributaries where it is intended to divert the said waters before they comingle with the waters of the main river, and the whole of the said waters hereby claimed for the above named specific purpose is twelve seconds feet, or cubic feet per second.

Said water is claimed for culinary and domestic purposes and intended to be used in the corporate limits of the said city by its inhabitants.

Said waters will be diverted by means of a pipe line leading therefrom into the said city, which said pipe line will be thirty-six (36) inches in diameter on the inside.

Said waters claimed at this date, as well as the dates heretofore when notices of such claim were heretofore posted on said springs and creek, and are claimed by Provo City.

It is not intended that any rights heretofore acquired in and to the said waters shall be waived by this notice.

Done pursuant to a resolution of the City Council heretofore passed.

PROVO CITY, a Municipal Corporation.

By Thomas John

City Attorney.

Dated August 27, 1901.

Attest:

John U. Buchi  
City Recorder.

STATE OF UTAH; )  
COUNTY OF UTAH. ) ss.

J. H. McEwan and James Gray being first duly sworn on oath say, that they are officers of said city, to wit: City Councilmen thereof, and make this affidavit for and in behalf of said city, that they have read the above notice and know its contents, and that the matters and facts stated in above notice are true.

John H. McEwan

James Gray.

Subscribed and sworn to before me this 27th day of August 1901.

John U. Buchi

Notary Public.

(Seal)

State of Utah, )  
County of Utah. ) ss.

John H. McEwan and James Gray being first duly sworn on oath say: That they are officers of said Provo City, to wit: City Councilmen thereof, and make this affidavit for and in behalf of said city, that they have read the above notice and know its contents, and that the matters and facts stated in the above notice are true, that the names of the streams from which the water is to be used as described in the above notice and the point of diversion of the water from the same is as follows: All of the water of the Burbio Springs, in Provo Canyon, and the point of diversion will be at a point where the said stream springs from the ground at a point about 600 feet south of the County Road, in said Canyon; the place of diversion of the Johnson Springs will be at the point where the notice has been posted the same being about 2 rods below the point where the said springs spring from the ground and at a point near the Blue Cliff Canal; the place of intended diversion of the Phillips Springs will be at the point where the above notice has been posted, the same being at the point where the water of the said springs comes from the ground; the point of intended diversion of the Thayer Springs will be at the place the above notice has been posted the same being posted about ten feet above high water mark, at a point where the said springs empty into Provo River; the point of diversion of the waters of Lost Creek will be at the point where the above notice is posted the same being at a point where, (what is known) as the Steve Moore ditch begins.

John H. McEwan

James Gray

Subscribed and sworn to before me this 13th day of September, 1901.

Thomas John

Notary Public.

(Notarial Seal).

Endorsed: Filed for record and recorded September 14, 1901 at 9:30 o'clock A. M. in Book 55 of Mining Instruments, page 340.  
Herbert S. Pyne, Recorder, Utah County, Utah.

Ex 310

JRS

(Compared Copy)

TO WHOM IT MAY CONCERN:

Notice is hereby given, that Provo City, a municipal corporation of the State of Utah, have this 10th day of August, 1901, appropriated all the following described spring water, containing about 12 cubic feet of water per second.

All of the waters of what is known as "Lost Creek," located in Provo Canyon, Utah County, Utah, and about one-half mile north of what is known as "Thayers'" place in said Provo Canyon; also all the springs that are situated about 250 yards west of the said Thayers' place in said Provo Canyon; also two springs opposite what is known as Burbeck Flat; and on the north side of Provo River, in said Provo Canyon; also the springs of water flowing across the said Burbeck Flat, at a point known as the old Toll-Gate, in said Provo Canyon; also all the springs that are situated from three to five hundred yards below what is known as the power house, of the Telluride Power and Transmission Company, in said Provo Canyon, all of said water being in Utah County, Utah.

That the purpose for which said water is to be used and claimed is to supply the residents of Provo City with water, through its water works system, for domestic use and for other purposes.

That the means of diversion of the water from the said springs herewith appropriated will be by a pipe-line from the said described springs and Lost Creek, to the mouth of Provo Canyon, where the settling basins of Provo City now are, and that the place of intended diversion will be from the points that the different springs show themselves on the surface of the ground.

That the date of the appropriation of this water is made on the 10th day of August, 1901.

Provo City, a municipal corporation,  
By Thomas N. Taylor, Mayor

Attest: John U. Buchi.  
Recorder.

UTAH COUNTY, UTAH.

John H. McEwan, James Gray and A. M. Carter, being first duly sworn, say: That they are officers of Provo City, to-wit: Councilors; that they have read the above notice of appropriation, and know the contents thereof; and that the matters and facts therein stated are true of their own knowledge, and that the water was appropriated on the date therein named.

John H. McEwan  
Albert M. Carter  
James Gray

Subscribed and sworn to before me this 12th day of August, 1901.  
(Notarial Seal).

(over)

John U. Buchi,  
Notary Public.

Corporate Seal.

Ex 309  
J.R.D.

WATER APPROPRIATION:

TO WHOM IT MAY CONCERN:

Notice is hereby given that Provo City, a municipal corporation of the County of Utah, State of Utah, has this 22nd day of November, 1902, appropriated all of the waters of those certain streams known as Bridal Veil Falls, Lost Creek and Upper Falls, all being in Utah County, State of Utah, together with all sources of supply contributing to the aforesaid streams above the points of diversion, and the points of diversion of said waters from said streams are as follows:

1st, Bridal Veil Falls; the point of diversion is 20 feet up stream from the top of the Upper Fall; from this point a balsam tree 4 in. in diameter, bears west 20 feet distant, marked, B. T.; a limestone boulder 8 X 10 feet and three feet above ground bears South 20 feet distant, marked with an X chizzled on west face, face of rock bears S. 30° W.

2nd, Lost Creek: The point of diversion is 35 feet South from a blue limestone boulder 6 X 6 feet and 4 feet above ground, marked with an X chizzled on its top.

3rd, Upper Falls: The point of diversion is about 1200 or 1500 feet upstream from the junction of Upper Falls with Provo River. A blue limestone boulder 6 X 5 feet and 4 feet above ground, marked with an X chizzled on west face, bears S. 25 dg. east, 15 feet distant.

The quantity of water claimed and appropriated is as follows:

From Bridal Veil Falls, 5 cu. feet per sec. of time.

From Lost Creek, 5 cubic feet per sec. of time.

From Upper Falls, 5 cubic feet per sec. of time.

The said waters are claimed, and said appropriations are made that these waters, pure and wholesome, may be turned into the water main of Provo City, to better conserve the health and well-being of her citizens. To accomplish this purpose, Provo City will utilize the "head" between the above described points of diversion and the present points of discharge of said waters into L. L. Nunn's large flume (which "head" is at present lost to any beneficial purpose) to generate power to pump from the bed of Provo River at some point below L. L. Nunn's dam across Provo River, and the natural junction of Bridal Veil Falls with Provo river, a quantity of seepage and waste waters equal to the quantity discharging into L. L. Nunn's large flume from Bridal Veil Falls; lost creek, and upper Falls; and equally as serviceable to the purposes named by said L. L. Nunn in his notices of appropriation as the aforesaid Bridal Veil Falls, Lost Creek and Upper Falls, such residue of power as may remain after serving the purpose above stated is to be used in the generation of electric energy.

Provo City hereby appropriates 15 cubic feet per second of time of said seepage and waste water to be found between L. L. Nunn's dam across Provo River and the natural junction of Bridal Veil Falls with Provo River, for the purposes hereinbefore stated.

Provo City, a ) George Powelson, ) committee on Waterworks  
Municipal corporation, ( Geo. S. Taylor, ( for City Council of  
by ) C. F. Decker ) Provo City,

APPROPRIATORS.

George Powelson, George S. Taylor and C. F. Decker, being first duly sworn, say they are officers of Provo City, to-wit: councilors; that they have read the above notice; that the matters and facts therein contained are true; that on the 22d day of November, 1902, they caused to be posted in conspicuous places at said points of diversion and also in conspicuous places at the Post Office of Provo City, Utah County, Utah, being the nearest Post Office to said points of diversion, duplicate copies of the above notice of appropriation.

Geo. Powelson

George S. Taylor

C. F. Decker.

Subscribed and sworn to before me this 25th day of November, 1902.

Alfred L. Booth,

Notary Public.

(Notarial Seal).

Endorsed: Filed for record and recorded Nov. 28, 1902 at 9 A.M., in Book 59 of Mining Instruments, page 424. Herbert S. Pyne, Recorder, Utah County, Utah.

Ex 308

JRD

(Compared Copy)

TO WHOM IT MAY CONCERN:

Notice is hereby given, that Provo City, a municipal corporation of the State of Utah, have this 10th day of August, 1901, appropriated all the following described spring water, containing about 12 cubic feet of water per second.

All of the waters of what is known as "Lost Creek," located in Provo Canyon, Utah County, Utah, and about one-half mile north of what is known as "Thayers'" place in said Provo Canyon; also all the springs that are situated about 250 yards west of the said Thayers' place in said Provo Canyon; also two springs opposite what is known as Burbeck Flat, and on the north side of Provo River, in said Provo Canyon; also the springs of water flowing across the said Burbeck Flat, at a point known as the old Toll-Gate, in said Provo Canyon; also all the springs that are situated from three to five hundred yards below what is known as the power house, of the Telluride Power and Transmission Company, in said Provo Canyon, all of said water being in Utah County, Utah.

That the purpose for which said water is to be used and claimed is to supply the residents of Provo City with water, through its water works system, for domestic use and for other purposes.

That the means of diversion of the water from the said springs herewith appropriated will be by a pipe-line from the said described springs and Lost Creek, to the mouth of Provo Canyon, where the settling basins of Provo City now are, and that the place of intended diversion will be from the points that the different springs show themselves on the surface of the ground.

That the date of the appropriation of this water is made on the 10th day of August, 1901.

Provo City, a municipal corporation,  
By Thomas N. Taylor, *Mayor*

Attest: John U. Buchi.  
Recorder.

UTAH COUNTY, UTAH.

John H. McEwan, James Gray and A. M. Carter, being first duly sworn, say: That they are officers of Provo City, to-wit: Councilors; that they have read the above notice of appropriation, and know the contents thereof; and that the matters and facts therein stated are true of their own knowledge, and that the water was appropriated on the date therein named.

John H. McEwan  
Albert M. Carter  
James Gray

Subscribed and sworn to before me this 12th day of August, 1901.  
(Notarial Seal).

(over)

John U. Buchi  
Notary Public.

Corporate  
Seal.

Ex 309  
J.R.D.



Herbert S. Pyne, Recorder, Utah County, Utah.

WATER APPROPRIATION:

TO WHOM IT MAY CONCERN:

Notice is hereby given that Provo City, a municipal corporation of the County of Utah, State of Utah, has this 22nd day of November, 1902, appropriated all of the waters of those certain streams known as Bridal Veil Falls, Lost Creek and Upper Falls, all being in Utah County, State of Utah, together with all sources of supply contributing to the aforesaid streams above the points of diversion, and the points of diversion of said waters from said streams are as follows:

1st, Bridal Veil Falls: the point of diversion is 20 feet up stream from the top of the Upper Fall; from this point a balsam tree 4 in. in diameter, bears west 20 feet distant, marked, B. T.; a lime stone boulder 8 X 10 feet and three feet above ground bears South 20 feet distant, marked with an X chizzled on west face, face of rock bears S. 30° W.

2nd, Lost Creek: The point of diversion is 35 feet South from a blue limestone boulder 6 X 6 feet and 4 feet above ground, marked with an X chizzled on its top.

3rd, Upper Falls: The point of diversion is about 1200 or 1500 feet upstream from the junction of Upper Falls with Provo River. A blue limestone boulder 6 X 5 feet and 4 feet above ground, marked with an X chizzled on west face, bears S. 25 dg. east, 15 feet distant.

The quantity of water claimed and appropriated is as follows:

From Bridal Veil Falls, 5 cu. feet per sec. of time.

From Lost Creek, 5 cubic feet per sec. of time.

From Upper Falls, 5 cubic feet per sec. of time.

The said waters are claimed, and said appropriations are made that these waters, pure and wholesome, may be turned into the water main of Provo City, to better conserve the health and well-being of her citizens. To accomplish this purpose, Provo City will utilize the "head" between the above described points of diversion and the present points of discharge of said waters into L. L. Nunn's large flume (which "head" is at present lost to any beneficial purpose) to generate power to pump from the bed of Provo River at some point below L. L. Nunn's dam across Provo River, and the natural junction of Bridal Veil Falls with Provo river, a quantity of seepage and waste waters equal to the quantity discharging into L. L. Nunn's large flume from Bridal Veil Falls; lost creek, and upper Falls; and equally as serviceable to the purposes named by said L. L. Nunn in his notices of appropriation as the aforesaid Bridal Veil Falls, Lost Creek and Upper Falls, such residue of power as may remain after serving the purpose above stated is to be used in the generation of electric energy.

Provo City hereby appropriates 15 cubic feet per second of time of said seepage and waste water to be found between L. L. Nunn's dam across Provo River and the natural junction of Bridal Veil Falls with Provo River, for the purposes hereinbefore stated.

Provo City, a ) George Powelson, ) committee on Waterworks  
Municipal corporation, ( Geo. S. Taylor, ( for City Council of  
by ) C. F. Decker ) Provo City,

APPROPRIATORS.

George Powelson, George S. Taylor and C. F. Decker, being first duly sworn, say they are officers of Provo City, to-wit: councilors; that they have read the above notice; that the matters and facts therein contained are true; that on the 22d day of November, 1902, they caused to be posted in conspicuous places at said points of diversion and also in conspicuous places at the Post Office of Provo City, Utah County, Utah, being the nearest Post Office to said points of diversion, duplicate copies of the above notice of appropriation.

Geo. Powelson

George S. Taylor

C. F. Decker.

Alfred L. Booth,

Notary Public.

Subscribed and sworn to before me this 25th day of November, 1902.

(Notarial Seal).

Endorsed: Filed for record and recorded Nov. 28, 1902 at 9 A.M., in Book 59 of Mining Instruments, page 424. Herbert S. Pyne, Recorder, Utah County, Utah.

Ex 308

J.R.D.

(Compared Copy)

NOTICE OF APPROPRIATION OF WATER.

Notice is hereby given that Provo City, a municipal corporation has appropriated and does hereby appropriate all of the waters of what is known as the North Fork, of Provo River in Provo Canyon, Utah County, Utah containing a flow of about thirty-five cubic feet of water per second the purpose of said appropriation being to use said water for power or in the pipes of the water system of said City as the same is now constructed and as it may be hereafter enlarged to meet the growing demands of the inhabitants of the said Provo City for domestic, culinary and sprinkling purposes, the same to be used at any point where the said water works system is now or may hereafter be extended to, by the said Provo City:

The said water will be diverted from its present channel by means of a flume or pipe not less than 36 inches in diameter, extending from a point near the mouth of the North Fork of Provo Canyon, or about 1500 yards from the place where the said water from the North Fork flows into Provo River, to the mouth of Provo Canyon so as to connect with the said water works system:

This appropriation is made on the 6th day of August A. D. 1902.

Provo City per

Geo. Powelson

G. F. Decker

State of Utah ) ss.  
County of Utah(

Geo. Powelson, G. F. Decker, being first duly sworn say that they are officers of Provo City a municipal corporation; that they have read the foregoing notice of appropriation, and that the same is true of their own knowledge; and that the purpose for which the said appropriation is made is a beneficiary one and that the said appropriation is necessary for the welfare of the said Provo City and the inhabitants thereof.

Geo. Powelson  
G. F. Decker.

Subscribed and sworn to before me this 6th day of August A. D. 1902.

Alfred L. Booth,  
Notary Public.

(Notarial Seal.)

Endorsed: Filed for record and recorded August 7, 1902 at ten o'clock A. M. in Book 59 of Mining Instruments, Page 323.

Herbert S. Pyne, Recorder Utah County, Utah; by Edward T. Jones, Dep.

Ex. 307  
J.R.D.



(Compared Copy)

NOTICE OF APPROPRIATING WATER.

NOTICE IS HEREBY GIVEN, That the undersigned hereby appropriates of the waters of those certain springs, the name of which is unknown, in Provo Canyon, Utah County, coming from the bottom of Provo Canyon about 150 yards South from the main building of the Telluride Power and Transmission Company, the flow at present amounting to approximately three cubic feet per minute or one-twentieth of a cubic foot per second for the purpose of conveying into the pipes of the water system of Provo City, to be used by the inhabitants of Provo City for domestic and culinary purposes by means of the waterworks of said City.

The undersigned proposes to divert said water by means of a pipe or flume not to exceed 6 inches in diameter, and leading from said springs down the Canyon to Phillips' Springs a distance of about 500 yards, from which said Phillips' Springs the water will be brought in a pipe or flume of the following dimensions to-wit: not to exceed twelve inches in diameter and leading from said Phillips' Springs down the said Canyon to the settling basin or to the pipes of the present water works system near the mouth of said Provo Canyon and the point of such diversion in said stream is described as follows; to-wit: As above stated, about 150 yards south of the main building of the Telluride Power and Transmission Company in Provo Canyon: Any and all additional water which can or may be obtained by tunneling, excavating or developing said springs is hereby appropriated for the uses and purpose above mentioned.

Date of this appropriation: August 2nd, 1902.

Provo City

Per Geo. Powelson, Appropriator  
Member City Council,  
Provo City.

State of Utah, )  
County of Utah, ) ss.

George Powelson being first duly sworn on his oath says that he is the appropriator named in the foregoing notice of appropriation and that the matters and facts contained in said notice are true.

Geo. Powelson.

Subscribed and sworn to before me this 2nd day of August, 1902.  
(Notarial Seal)

Alfred L. Booth,

Notary Public.

Endorsed: Filed for record and recorded Aug. 4, 1902 at 4 P.M. in book 59 of Mining Instruments, page 318. Herbert S. Pyne, Recorder Utah County, Utah.

Ex. 306

J.R.D.